

VZCZCXRO1258
PP RUEHCI
DE RUEHNE #2461/01 3431117
ZNY CCCCC ZZH
P 091117Z DEC 09
FM AMEMBASSY NEW DELHI
TO RUEHC/SECSTATE WASHDC 8836
INFO RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RUEHLM/AMEMBASSY COLOMBO 2162
RUEHKT/AMEMBASSY KATHMANDU 3003
RUEHCG/AMCONSUL CHENNAI 5379
RUEHCP/AMEMBASSY COPENHAGEN 0249
RUEHKA/AMEMBASSY DHAKA 2558
RUEHIL/AMEMBASSY ISLAMABAD 6495
RUEHLO/AMEMBASSY LONDON 7071
RUEHNE/AMEMBASSY NEW DELHI
RUEHTC/AMEMBASSY THE HAGUE 0619
RUEHCI/AMCONSUL KOLKATA 4590
RUEHGV/USMISSION GENEVA 8672
RUCNDT/USMISSION USUN NEW YORK 8718
RUEKJCS/SECDEF WASHDC

C O N F I D E N T I A L SECTION 01 OF 03 NEW DELHI 002461

SIPDIS

E.O. 12958: DECL: 11/12/2019

TAGS: [PREF](#) [PGOV](#) [PREL](#) [IN](#) [SL](#)

SUBJECT: PDAS WITTEN DISCUSSES REFUGEE ISSUES IN INDIA

Classified By: Political Counselor Uzra Zeya for Reasons 1.4 (b/d).

11. (C) SUMMARY. During a two-day visit to New Delhi, PRM Principal Deputy Assistant Secretary (PDAS) Samuel Witten discussed Bhutanese refugees, Tibetans in India, and the status of UNHCR in India. Key members of the Bhutanese Core Group agreed that we should submit test humanitarian return cases to the Government of Bhutan, although the Bhutanese Charg was non-committal about Bhutan's willingness to act favorably on any cases submitted. Witten also discussed the condition of Tibetans with the Dalai Lama's representative and met with UNHCR's representative to India to discuss current issues, including the scope of UNHCR's mandate in the country. During a separate meeting at the MEA, he discussed assistance to internally displaced persons in Sri Lanka (septel). END SUMMARY.

Advancing the Return of Bhutanese Refugees

12. (C) Witten met with a representative of the current chair of the Core Group on Bhutanese refugees, Denmark. (NOTE: The Core Group consists of representatives from the United States, Australia, Canada, Denmark, the Netherlands, New Zealand, and Norway, and meets irregularly in Geneva and Kathmandu to coordinate international support for the Bhutanese refugees in Nepal. END NOTE.) Danish DCM Danny Annan noted Denmark's strong connections with Bhutan, which he attributed to Denmark's successful 30-year development program in the country. He said that Denmark is willing to present test cases for humanitarian return to the Government of Bhutan (GOB) on an "informal basis," agreeing with Witten that these return cases were distinct from the child custody waiver cases that UNHCR had previously offered to provide. Both agreed that Core Group members should request UNHCR to detail appropriate return cases for Denmark to present to the GOB. Annan was more cautious on whether the GOB could be persuaded to participate in any verification exercise given the difficulties which occurred after the Khudunabari Camp verification. He noted that the GOB and GON have not had any official contact in the past year. When asked whether it would be useful to have Core Group representatives meet in New Delhi, Annan said that Denmark believes this should be a Geneva-led process. He saw little value in having Core Group meetings in New Delhi, unless Geneva decided otherwise, i.e., if Geneva believed the Government of India (GOI)---who is the Bhutan's largest donor ---should be encouraged to use its influence there.

13. (C) In a separate meeting on November 10, Dutch PolCouns Bart Paans also agreed that UNHCR should identify humanitarian return

cases for the Core Group to present to the GOB. He said that the Netherlands had begun discussing internally its goals for its chairmanship of the Core Group, which is due to begin in January 2010, and he indicated that the Netherlands intends to assess whether the Core Group's current strategy is adequate and appropriate. Witten expressed USG desire to work closely with the Dutch during its term as chair of the Core Group. Like Danish DCM Annan, Paans said that the Core Group should remain a Geneva-led process; but thought "there could be a role" for Core Group members to meet in Delhi. He questioned whether the Bhutan donors' roundtable, scheduled for 2010, could be used as a forum to press the GOB to make some progress on returns. While acknowledging that aid would not actually be threatened, Paans said that the GOB would prefer to avoid criticism from donor representatives during the session.

14. (C) During a meeting on November 10 with Bhutanese Charg Kinga Singye, PDAS Witten pressed Bhutan to begin a process for accepting the return to Bhutan of refugees for whom resettlement is not feasible. Singye said that while the GOB understands the importance of the refugee issue, the situation is historically complex. He agreed that it was a "big distraction" for Bhutan and an issue that his government would prefer to resolve. Bhutan, Singye said, was committed to resolving the issue and blamed political instability in Nepal for lack of progress. He said that finding an authoritative Nepali government official willing to discuss the issue has proven difficult. For example, the Bhutanese FM had offered to meet the Nepali FM on the margins of the NAM summit in Egypt last summer, but the meeting did not occur. Singye further elaborated that the Nepal government had cancelled other meetings at the last minute and seemed occupied with issues other than Bhutanese refugees. Witten replied

NEW DELHI 00002461 002 OF 003

that many governments, including the U.S., effectively worked with the GON despite the challenges and Bhutan should be able to do so as well. He stressed that Nepal's internal challenges did not mean the Nepalese government was inherently unable to work bilaterally with Bhutan or any other government, and urged that the GOB reconsider its position that a more stable Nepal government would be necessary for Bhutan to work effectively with Nepal

15. (C) Singye said that the GOB was willing to receive information on the two custody waiver cases that UNHCR has been discussing with the Core Group. He also acknowledged that certain additional cases, such as those of the frail and elderly, could be eligible for return and that the GOB would consider them. However, Singye insisted that his government would need to work with the GON bilaterally to resolve any such cases, something he clearly believed was unlikely. Witten said that the Core Group would present specific cases to the GOB and that he would raise Bhutanese concerns with the GON during his visit to Kathmandu. Witten concluded by noting that the protracted situation and Bhutan's inaction negatively affects Bhutan's reputation among the international humanitarian community, a comment which the Charg seemed to consider carefully.

UNHCR Limited But Growing

16. (C) UNHCR Chief of Mission Montserrat Feixas Vihe described UNHCR's complicated, but growing, presence in India to Witten during a meeting on November 10. She said that UNHCR had no official status in India, and the organization operated on the basis of an "understanding" with the GOI. While they operate more openly than in the past, UNDP still handles visa and procurement issues for UNHCR. India has no refugee law, creating a "total vacuum" according to Vihe. The GOI handles Tibetan and Sri Lankan refugees itself and prohibits UNHCR engagement with these populations beyond some Sri Lankan repatriation efforts. However, it respects UNHCR decisions on cases for other, non-neighboring, nationalities. UNHCR has one main office in Delhi and another in Chennai that deals exclusively with repatriation of Sri Lankans.

17. (C) Vihe informed Witten that UN High Commissioner Guterres is coming to India on December 1 for two days of bilateral meetings, noting that this was the second such round of meetings and that it showed the growing comfort of the GOI in engaging with UNHCR. UNHCR

has shifted from its previous focus on pushing India to accede to the refugee conventions to one pushing for broadening general GOI-UNHCR engagement in the long-term. One UNHCR goal is to engage the GOI on refugee issues beyond India, such as the impact of global warming on the residents of the Maldives.

Tibetan Conditions in India

¶8. (SBU) In a November 11 meeting with Witten, Tempa Tsering, the Dalai Lama's representative in New Delhi, described conditions for Tibetans in India. He said that while there were challenges anywhere, India was generally a good host to the nearly 100,000 Tibetans living in 37 settlements. When asked about the Dalai Lama's visit to Arunachal Pradesh that day, Tsering said that if the Chinese didn't protest so loudly, no one would have paid attention to the religious visit. Tsering thanked the U.S. for supporting the Tibetan community, calling it the "backbone" of their programs. He noted one issue of concern for the Central Tibetan Authority (CTA) is the lack of career prospects for Tibetan refugees in India after they graduate high school. To address this, the CTA is attempting to establish its own college in Bangalore.

¶9. (C) COMMENT. Witten's discussions on Bhutan showed a willingness by key Core Group members to engage Bhutan on specific humanitarian return cases. It is likely that the Dutch may take a more active stance than the Danes as chair of the Core Group. The Dutch plan to reassess the Core Group's strategy is promising and the USG should explore ways to work closely with the Dutch on this in the coming months. UNHCR's improving relationship with the GOI is welcome news

NEW DELHI 00002461 003 OF 003

for the refugee community and the USG.

¶10. (U) PDAS Witten cleared this message.

ROEMER